

TENNESSEE BOARD OF EXAMINERS IN PSYCHOLOGY

DATE: October 19-20, 2005

TIME: 9:00 A.M.

LOCATION: Tennessee Room
Ground Floor, Cordell Hull Building
Nashville, TN

BOARD MEMBERS

PRESENT: Debra Davenport, M.A., Sr.P.E., Chair
Carl Gilleylen, Psy.D.
Robert Kores, Ph.D.
Janice Martin, Ph.D.
Patrick Lavin, Ph.D.
David Caye, Sr.P.E.
Susan Strickler, Ph.D.

STAFF PRESENT: Melody Spitznas, Board Administrator
Nicole Armstrong, Advisory Attorney
Robbie Bell, Director
Barbara Maxwell, Administrative Director
Stacy Lannan, Licensing Technician
Jerry Kosten, Rules Coordinator
Shiva Bozarth, Assistant General Counsel
Shelaine Sadler, AARB1

Ms. Davenport, chair, called the meeting to order at 9:00 a.m. A sufficient number of board members were present to constitute a quorum.

Ms. Davenport welcomed new board members Dr. Lavin and Mr. Caye to the board.

Ms. Davenport awarded plaques to Dr. William Vaughn and Dr. Denise Davis for their years of dedication as colleagues and members of the Tennessee Board of Examiners in Psychology.

Conflict of Interest

Ms. Armstrong reviewed the conflict of interest policy with the board asking the board members to disclose any conflict of interest they may have prior to contested cases or any other legal proceedings or matters to determine if there is a conflict of interest. Ms. Armstrong stated that if a board member has a conflict of interest they must recuse him/herself from the proceedings and leave the room during the hearing. Ms. Armstrong

asked the new board members to sign the conflict of interest statement and return it to Ms. Spitznas.

Order of Compliance for Dr. Yarian

Ms. Armstrong presented an order of compliance to the board for David A. Yarian, Ph.D. Ms. Armstrong said Dr. Yarian was reprimanded by the board on April 14, 2005 for unprofessional, dishonorable and unethical conduct. Mr. Armstrong said Dr. Yarian has met all requirements the board requested including strict compliance with the American Psychological Association and has obtained five (5) hours of continuing education in ethics.

Dr. Martin made a motion, seconded by Dr. Kores, to accept the order of compliance for David A Yarian, Ph.D. The motion carried.

Agreed Order for William Blackerby

Mr. Bozarth presented an agreed order for William Blackerby, Ph.D. Mr. Bozarth stated as a result of Dr. Blackerby's license being suspended in the State of Georgia, the Tennessee Board imposed a \$4500.00 civil penalty on Dr. Blackerby.

Mr. Bozarth stated the agreed order is to decrease the civil penalty for Dr. Blackerby to \$1500.00.

Dr. Gilleylen made a motion, seconded by Dr. Martin to accept the agreed order for William Blackerby, Ph.D. The motion carried.

Financial Report

Ms. Tittle reviewed the Financial Report stating there is a cumulative carryover from June 30, 2005 of \$167,082.03.

Ms. Tittle presented a projection of fees to the board members so they could see the comparison of their fees to other board's fees.

Ms. Tittle suggested the board wait on lowering the fees until it can be determined the projected cost of the HRB move to Metro Center and the cost of the RBS system.

Upon discussion, the board decided it would be best if they hold off on reducing the fees.

Interview with Dr. Brian Wind

Ms. Phelps stated Dr. Wind's licensure as a Psychological Examiner contained certain conditions. Dr. Wind was to participate in an ongoing program of treatment and aftercare provided by the Colleague Assistance Program with quarterly reports sent to the board. Ms. Phelps said she received Dr. Wind's final report which released him from CAC.

Upon discussion, Dr. Kores made a motion, seconded by Dr. Gilleylen, that Dr. Wind has completed the required conditions placed on his psychological examiners license. The motion carried.

Jerry Kosten, Rules Coordinator

Upon discussion, Dr. Martin made a motion, seconded by Dr. Kores, to authorize a rulemaking hearing for Internship/Postdoctoral Supervised experience, use of titles and deletion of oral examination requirement for Certified Psychological Assistants. The motion carried.

Peer Assistance Program

Dr. McMillan, former chair and current member of the Tennessee Psychological Association Colleague Assistance Committee (CAC) was requested to speak to the board about their association's committee, which monitors impaired practitioners. Dr. McMillan stated their organization sends the applicant to an addiction expert who sets up a treatment plan which is monitored to be sure the practitioner keeps to that plan.

Ms. Davenport requested the board table the discussion on impaired practitioner help groups or CAC until later in the meeting.

Disciplinary Report

Ms. Phelps reviewed the Disciplinary Report which is a list of practitioners who are currently being monitored. Ms. Phelps said following the disciplinary report is a history of all Psychologists who have been disciplined by the board.

Investigative Report

Ms. Phelps reviewed the Investigative Report stating twenty-eight (28) new complaints have been received; twenty-four (24) of those have been closed.

Approval of Minutes

Upon review of the July 20-21, 2005 board meeting minutes, Dr. Lavin made a motion, seconded by Dr. Gilleylen, to approve the minutes as corrected. The motion carried.

Administrative Report

Ms. Spitznas reviewed the Administrative Report stating there are 1229 licensed, 553 retired, 400 failed to renew and 77 deceased psychologists; 638 licensed, 493 retired, 897 failed to renew and 48 deceased psychological examiners and senior psychological examiners; only one (1) active certified psychological assistant. Ms. Spitznas said

between July 9, 2005 and October 10, 2005, thirty (30) psychologists and sixteen (16) psychological examiners have renewed their license online.

Ms. Spitznas stated as a result of the 2004 audit regarding 2001/2002 continuing education, the board has collected approximately \$5000 in penalties. Ms. Spitznas said licensees who have not responded to the audit will be reported to the Office of General Counsel.

Ms. Spitznas reminded the board that all travel must be submitted 120 days in advance for possible approval. Ms. Spitznas stated through December 31, 2005 mileage reimbursement has increased from \$.38 to \$.46 per mile.

Appearance by Sharon Davern

Ms. Davern appeared before the Board at the invitation of Ms. Bell. Ms. Armstrong informed the Board that Ms. Davern's application for licensure as a Psychological Examiner via reciprocity was denied at the Board's April 2005 meeting. Ms. Davern's application was denied on two grounds: (1) her application was incomplete despite multiple notifications from the Board's administrative office and (2) Ms. Davern's education lacked coursework in the APA Code of Ethics and personality assessment. Ms. Armstrong informed the Board that because Ms. Davern's application was denied for the failure to meet objective requirements for licensure, she was not entitled to an appeal.

Ms. Bell requested that the Board allow Ms. Davern to address them regarding the processing of her application. Ms. Davern stated that she had submitted her application in September 2004. She disputed notifications from the Board's administrative staff that stated that her application was incomplete, and stated that she nevertheless submitted the requested documentation. Ms. Spitznas explained that Ms. Davern's application was not filled out in its entirety and that she sent notification to Ms. Davern about documentation that was lacking; one item, Ms. Davern's transcript, had been forwarded to the Board of Professional Counselors because Ms. Davern had an application pending before that Board as well.

Ms. Davern presented course descriptions from her master's degree program, and asserted that her continuing education activities and her experience since becoming licensed as a Psychologist in Minnesota qualified her for licensure as a Psychological Examiner in Tennessee. The Board reviewed the materials presented by Ms. Davern and determined that she did not demonstrate that she met all of the coursework requirements for licensure. The Board also observed that Ms. Davern would not have been able to complete such coursework because of the discontinuance of the Psychological Examiner level of licensure in December 2004. The Board thanked Ms. Davern for her time.

File Review for Christina Birdwell

Upon review, Dr. Kores made a motion, seconded by Dr. Lavin, to reissue a denial letter to Christina Birdwell listing the three (3) additional basis for denial. The motion carried.

Status Report

Psychologists

Dr. Martin made a motion, seconded by Dr. Gilleylen, to ratify the following newly licensed psychologists:

Steve D. Brown, Ph.D.
Jennifer M. Dembowski, Ph.D.
Anthony P. Doran, Psy.D.
Laurie A. Greco, Ph.D.
Ari Levy Holtz, Ph.D.
Kurt David Openlander, Ph.D.
Jennifer Ann Stone, Ph.D.
John Worth Thurman, Ph.D.
Deidre Vaughn-Sharp, Ph.D.

The motion carried.

Dr. Gilleylen made a motion, seconded by Dr. Kores, to ratify the following psychologist reinstatement:

Christine M. Malone, Ph.D.

The motion carried.

Psychological Examiners

Dr. Kores made a motion, seconded by Dr. Gilleylen, to ratify the following newly licensed psychological examiners:

Deborah Elaine Colton

The motion carried.

Mr. Caye made a motion, seconded by Dr. Kores, to ratify the following psychological examiner reinstatement:

Cynthia Jordan

The motion carried.

Psychological Assistants

Dr. Martin made a motion, seconded by Dr. Kores, to ratify the following newly licensed psychological assistant:

Wendy Copelan McDowell

The motion carried.

Ratify written examination results

Dr. Kores made a motion, seconded by Dr. Lavin, to ratify the following passing scores of the written examination for Psychologist/HSP:

Martha Dagenhart, Ph.D./HSP
Cherrie Hunter, Psy.D./HSP
James Klosky, Ph.D./HSP
Dana Wyner, Ph.D./HSP
Robert Levine, Psy.D./HSP
Melissa A. Bartsch, Ph.D./HSP
Christy Sorrell, Ph.D./HSP
Shannon K. Hays, Ph.D./HSP
Marsha P. Burdette, Ph.D./HSP

The motion carried.

Dr. Kores made a motion, seconded by Dr. Lavin, to ratify the following failing scores of the written examination for Psychologists/HSP:

Myrna Kemp, Ph.D.
Jennifer Hanket, Psy.D.

The motion carried.

Dr. Kores made a motion, seconded by Mr. Caye, to ratify the following passing scores of the written examination for Psychological Examiners:

Cynthia Irene Day
Lynn Burkett
Jennifer Seay

The motion carried.

Dr. Kores made a motion, seconded by Dr. Lavin, to ratify the following failing scores of the written examination for Psychological Examiners:

Elisa Shinabarger
Shereen Haj-Hassan
Kristal L. Hurst
Myra J. Bennett

The motion carried.

Dr. Martin made a motion, seconded by Dr. Kores, to ratify the following passing score of the oral examinations:

The following applicants have successfully passed the oral examination and completed the postdoctoral supervised experience for a licensure as a Psychologist/HSP:

John Thurman, Ph.D./HSP
Ted LaVaque, Ph.D./HSP
Christopher Blazina, Ph.D./HSP

The following applicants have successfully passed the oral examination and are in the process of completing his/her postdoctoral supervised experience:

Ron Roberts, Ph.D./HSP

The following applicants have successfully passed the oral examination for licensure as a Psychological Examiner:

Collette Coutts

The motion carried.

Mr. Caye made a motion, seconded by Dr. Kores, to ratify the following closed files:

Linda Guthrie
Betty Jo Freeman
Brian S. Stone
Renee Smith Myers
Anthony Tasso
Neha Shah

The motion carried.

Ratify Initial Approvals by Board Members

Upon review of the initial recommendations made by Drs. West-Willette, Martin and Gilleylen, Dr. Kores made a motion, seconded by Dr. Lavin, to accept the following recommendations of Dr. West-Willette, Dr. Martin and Dr. Gilleylen:

Dr. West-Willette reviewed applications and made the following recommendations:

Daniel Wick, Psy.D. - Schedule for oral examination.

Arnold Scott Presley, Psy.D. - Issue provisional license and schedule for written examination.

Marina L. Cadreche, Psy.D. - Issue temporary license and schedule for oral examination.

Per Dr. Gilleylen's verbal approval, the following provisional licenses were issued:

Lindsey E. Vaughn, Psy.D.

Christina S. Jones, Ph.D.

Per Dr. Martin's verbal approval, the following go to work letters were issued:

Wendy Copelan McDowell

Correspondence

Upon review of the letter from **R. Sean McPherson**, requesting a letter of authorization letter to take the EPPP exam, the board asked Ms. Spitznas to send out a letter to reauthorize the exam for Mr. McPherson.

Upon review of the letter from **Matthew J. Jalazo**, Ms. Armstrong stated she will write a letter advising Mr. Jalazo to apply for a provisional license.

Upon review of the letter from **Ajanta Roy**, requesting an extension of provisional license as a Psychologist due to maternity leave, the board decided Dr. Roy will need to pay the fee and send in a new application for a provisional license.

Upon review of the letter from **Martha Dagenhart**, requesting an extension of provisional license as a Psychologist due to maternity leave, the board decided Dr. Dagenhart will need to pay the fee and send in new application for provisional license.

The Board accepted the letter from **Krista Shafer-Merchant**, informing the board that her maternity leave has ended.

Upon review of the letter from **Prudie Orr**, the board requested a claim for refund be submitted for Dr. Orr for an overpayment on a reinstatement application. Ms. Bell requested Ms. Spitznas bring her the form to sign off on the refund for Dr. Orr.

File Review

Dr. Adler, board consultant, reviewed **Dr. Greg DeClue's** application and determined everything was in order for Dr. Greg DeClue to practice temporarily in TN under supervision. Dr. DeClue is to inform the Board of the dates of these activities.

Contested case hearing against Ellen Wilson

The board was scheduled to hear a contested case hearing for Ellen Wilson, however Ms. Wilson informed the board that she was obtaining legal counsel. Judge Ralph B. Christensen agreed to a continuance until January 2006.

Contested case hearing against Reita S. Jackson, P.E.

The board was presented a case hearing by Mr. Shiva Bozarth, Assistant General Counsel, for Reita S. Jackson, P.E. Administrative Law Judge, Ralph D. Christensen, presided over the hearing.

Ms. Davenport and Dr. Lavin stated they were acquaintances of Ms. Jackson's, however it would not affect their decision in this hearing.

Mr. Bozarth made a motion to proceed in a default status as Ms. Reita Jackson, P.E., nor counsel on her behalf, were present at the hearing.

Mr. Caye made a motion, seconded by Dr. Kores, to precede in default status. The motion carried.

After discussion, Dr. Martin made a motion, seconded by Dr. Kores, to accept the proposed order, which suspends Ms. Jackson's license until she appears before the board. Ms. Jackson must complete all requirements for reinstatement of her license. Ms. Jackson is to be referred to the Colleague Assistant Committee (CAC) to undergo an assessment and follow through with the plan of treatment and complete twelve (12) hours of Type I continuing education in ethics. The motion carried.

Ms. Davenport stated the Board of Examiners in Psychology took this action in order to enforce the statutory laws and rules governing the professional practice of psychology in the State of Tennessee and in order to protect the health, safety and welfare of the citizens of the State of Tennessee.

Contested case hearing against Deborah J. Adams

The board was scheduled to conduct a contested case hearing for Deborah J. Adams, however Ms. Adams informed the board that she was obtaining legal counsel and

requested a continuance. Mr. Bozarth said her attorney is to send his office a letter stating he/she is employed by Ms. Adams. Judge Ralph B. Christensen agreed to a continuance until January 2006.

Discussion of Colleague Assistant Committee

Upon discussion, Ms. Bell stated the board should form a Task Force regarding Colleague Assistant Committee (CAC) to get as much information as possible. Dr. Martin, Dr. Kores, Ms. Davenport, Dr. Strickler and Ms. Bell all volunteered to be part of the Task Force.

Correspondence

Ms. Armstrong stated she will respond to Ms. Brandi Mangan, C.P.A. applicant, regarding her denial of licensure.

Ms. Armstrong stated she will respond to Dr. Fred Wright and inform him the board is unable to expunge his record.

File Review

Upon review of the file for **Amanda Wilder**, Certified Psychological Assistant, Dr. Gilleylen made a motion, seconded by Dr. Kores to delay the application of Ms. Wilder pending receipt of corrected form showing 300 practicum hours. The motion carried.

Dr. Gilleylen made a motion, seconded by Dr. Lavin, to upgrade the following applicants to Senior Psychological Examiners:

Gayle Keels
Susan Britt
Margaret Kirkland

The motion carried.

Upon review of the file for **Sherry White, Sr. PE**, Dr. Gilleylen made a motion, seconded by Dr. Kores, to delay the upgrade to Senior Psychological Examiner for Ms. White pending receipt of an additional Type I continuing education hours. The motion carried.

Upon review of the file for **Cynthia Ann Butler, Ph.D.**, Dr. Gilleylen made a motion, seconded by Dr. Martin, to issue Dr. Butler a temporary license and schedule her for the written examination. The motion carried.

Upon review of the file for **Ohiana Torrealday, Ph.D.**, Dr. Gilleylen made a motion, seconded by Dr. Strickler, to issue Dr. Torrealday a temporary license and schedule her for the written examination. The motion carried.

Upon review of the file for **Molly White, Ph.D.**, Dr. Gilleylen made a motion, seconded by Dr. Lavin, to delay the application of Dr. White until January 2006 for receipt of her transcript, if not received by January 2006 we will close Dr. White's file. The motion carried.

Upon review of the file for **Andrea Jurgbergs, Ph.D. /HSP**, Dr. Gilleylen made a motion, seconded by Dr. Martin, to approve Dr. Jurgbergs for a provisional license and schedule her for the written examination. The motion carried.

Upon review of the file for **Kristin Logue, Ph.D. /HSP**, Dr. Gilleylen made a motion, seconded by Dr. Kores, to approve Dr. Logue for a provisional license and schedule her for the written examination. The motion carried.

Upon review of the file for **Michael Breus, Ph.D.**, Dr. Kores made a motion, seconded by Dr. Martin, to approve Dr. Breus' application and schedule him for the oral examination. The motion carried.

Upon review of the file for **Janet Winn, Ph.D. /HSP**, Dr. Kores made a motion, seconded by Dr. Martin, to approve Dr. Winn for a provisional license and schedule her for the written examination. The motion carried.

Upon review of the file for **Keisha Bowens, Ph.D. /HSP**, Dr. Kores made a motion, seconded by Dr. Martin, to approve Dr. Bowes for a provisional license and schedule her for the written examination. The motion carried.

Upon review of the file for **Lisa Beavers, Ph.D. /HSP**, Dr. Kores made a motion, seconded by Dr. Lavin, to approve Dr. Beavers for a provisional license and schedule her for the written examination. The motion carried.

Upon review of the file for **Eric Manley, Ph.D. /HSP**, Dr. Kores made a motion, seconded by Dr. Strickler, to approve Dr. Manley for a provisional license and schedule him for the written examination. The motion carried.

Upon review of the file for **Alan Dubro, Ph.D. /HSP**, Dr. Kores made a motion, seconded by Dr. Gilleylen, to delay the application of Dr. Dubro upon receipt of the supervision form from supervisor on temporary license. The motion carried.

Upon review of the file for **Lynley Ebeling, Ph.D.**, Dr. Martin made a motion, seconded by Dr. Lavin, to schedule Dr. Ebeling to sit for the oral exam. The motion carried. The board asked Ms. Spitznas to send a letter to Dr. Ebeling stating she cannot treat clients without HSP designation.

Upon review of the file for **Randi Taylor, Ph.D. /HSP**, Dr. Martin made a motion, seconded by Dr. Gilleylen, to delay the application of Dr. Taylor upon receipt of her

postdoctoral documentation from Pennsylvania stating her supervisor Ms. Wilson is qualified to supervise postdoctoral experience. The motion carried.

Upon review of the file for **Jessica Allin, Ph.D. /HSP**, Dr. Martin made a motion, seconded by Dr. Kores, to delay the application of Dr. Allin upon receipt of proper documents. The motion carried.

Upon review of the file for **Stacy Sanford, Ph.D./HSP**, Dr. Lavin made a motion, seconded by Dr. Gilleylen, to approve Dr. Sanford for a provisional license and schedule her to sit for the written examination. The motion carried.

Upon review of the file for **Patricia Arena, Ph.D. /HSP**, Dr. Lavin made a motion, seconded by Dr. Kores, to approve Dr. Arena for a provisional license and schedule her for the written examination. The motion carried.

Upon review of the file for **Michael Gavetti, Ph.D. /HSP**, Dr. Lavin made a motion, seconded by Dr. Martin, to approve Dr. Gavetti for a temporary license and schedule him for the oral examination. The motion carried.

Upon review of the file for **Catherine Grello, Ph.D. /HSP**, Dr. Lavin made a motion, seconded by Dr. Gilleylen, to approve Dr. Grello for a provisional license and schedule her for the written examination. The motion carried.

Upon review of the file for **Hugh Moore, Ph.D. /HSP**, Mr. Caye made a motion, seconded by Dr. Martin, to schedule Dr. Moore to sit for the oral examination. The motion carried.

Upon review of the file for **Janice Pazar, Ph.D. /HSP**, Mr. Caye made a motion, seconded by Dr. Martin, to approve Dr. Pazar for a provisional license and schedule her for the written examination. The motion carried.

Upon review of the file for **Sarah Richie, Ph.D. /HSP**, Mr. Caye made a motion, seconded by Dr. Martin, to approve Dr. Richie for a temporary license and schedule her for the written examination upon receipt of the correct application. The motion carried.

Upon receipt of the file for **Sandra Brindamour, Ph.D. /HSP**, Mr. Caye made a motion, seconded by Dr. Lavin, to approve Dr. Brindamour for a provisional license and schedule her for the written examination upon receipt of her transcripts. The motion carried.

Jurisprudence Examination

Upon review of the amended rules regarding the oral exam language, Ms. Armstrong said she would discuss this with Mr. Kosten.

Upon discussion of the jurisprudence examination the board decided to sunshine it for the next meeting.

With no other business to conduct, Dr. Martin made a motion, seconded by Dr. Kores, to adjourn the meeting at 4:04 p.m. The motion carried.